

AMENDMENT TO COMMITTEE PRINT
OF SUBTITLE D
(COMMUNICATIONS RECONCILIATION PROPOSAL)

OFFERED BY MR. ROGAN OF CALIFORNIA
[public safety spectrum in congested areas]

Page 13, strike lines 9, 10, and 11 and insert the following:

1 (1) 24 megahertz of that spectrum for public
2 safety services according to the terms and conditions
3 established by the Commission, unless the Commis-
4 sion determines that the needs for public safety serv-
5 ices can be met in particular areas with allocations
6 of less than 24 megahertz; and

Page 13, after line 21, insert the following new subsection (and redesignate the succeeding subsection accordingly):

7 (c) LICENSING OF UNUSED FREQUENCIES FOR PUB-
8 LIC SAFETY RADIO SERVICES. -

9 (1) USE OF UNUSED CHANNELS FOR, PUBLIC
10 SAFETY.-& shall be the policy of the Commission,
11 notwithstanding any other provision of this Act of
12 any other law, to waive whatever licensee eligibility

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1 and other requirements (including bidding require-
2 ments) are applicable in order to permit the use of
3 unassigned frequencies for public safety purposes by
4 a State or local governmental agency upon a show-
5 ing that-

6 (A) no other existing satisfactory public
7 safety channel is immediately available to sat-
8 isfy the requested use:

9 (E) the proposed use is technically feasible
10 without causing harmful interference to existing
11 stations in the frequency band entitled to pro-
12 tection from such interference under the rules
13 of the Commission; and

14 (C) use of the channel for public safety
15 purposes is consistent with other existing public
16 safety channel allocations in the geographic
17 area of proposed use.

18 (2) APPLICABILITY.-Paragraph (1) shall apply
19 to any application that is pending before the Federal
20 Communications Commission, or that is not finally
21 determined under either section 402 or 405 of the
22 Communications Act of 1934 (47 U.S.C. 402, 405)
23 on May 15, 1997, or that is filed after such date.